

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO.: CR05-231-JCC
Plaintiff,)
v.) DETENTION ORDER
WILLIAM EDWIN JAMES,)
Defendant.)

Offense charged:

Conspiracy to Traffic in Certain Motor Vehicles and Motor Vehicle Parts, Trafficking in a Certain Motor Vehicle

Date of Detention Hearing: June 16, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is named in a twenty count indictment that has been brought against certain individuals, some of whom are alleged to be leaders and/or members of the Bandidos Outlaw Motorcycle Organization.

01 (2) The Indictment alleges that the Bandidos Outlaw Motorcycle Organization is a
02 criminal organization whose members and associates engaged in acts of violence, including
03 kidnaping, assault, threats of violence, and extortion in the United States and throughout the
04 world. The Bandidos is alleged to constitute a criminal enterprise as defined in Title 18 USC,
05 Section 1959(b)(2), that is, an enterprise constituting an ongoing organization whose members
06 function as a continuing unit for common purpose of achieving racketeering activity.

07 (3) Mr. James is said to be the Secretary/Treasurer of the Bellingham Chapter of the
08 Bandidos, and responsible for handling club funds on behalf of the organization, alleging that
09 criminally derived proceeds are included in these funds. The government alleges that the
10 defendant was using his business to alter and rebuild stolen motorcycles.

11 (4) According to the AUSA, the defendant was heard during a wiretap making threats
12 to retaliate by effecting physical harm against a Whatcom County Sheriff's Department officer
13 who arrested him on a DWI charge. The defendant denies that the statements, if made, constituted
14 threats.

15 (5) The government contends that, due to defendant's position of power and influence
16 with the Bandidos, his release would put the community at risk and compromise the safety of
17 witnesses in the case.

18 (6) The defendant poses a risk of nonappearance based on national and international
19 ties to the Bandidos organization. He does pose a danger to the community based on the nature
20 of the current charges, his criminal record which suggests a possible alcohol problem, alleged
21 threats against a police officer, and the particular position of leadership which he holds in the
22 Bandidos organization.

23 (7) There does not appear to be any condition or combination of conditions that will
24 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
25 to other persons or the community.

26 / / /

01 It is therefore ORDERED:

- 02 (1) Defendant shall be detained pending trial and committed to the custody of the
03 Attorney General for confinement in a correction facility separate, to the extent
04 practicable, from persons awaiting or serving sentences or being held in custody
05 pending appeal;
- 06 (2) Defendant shall be afforded reasonable opportunity for private consultation with
07 counsel;
- 08 (3) On order of a court of the United States or on request of an attorney for the
09 Government, the person in charge of the corrections facility in which defendant is
10 confined shall deliver the defendant to a United States Marshal for the purpose of
11 an appearance in connection with a court proceeding; and
- 12 (4) The clerk shall direct copies of this Order to counsel for the United States, to
13 counsel for the defendant, to the United States Marshal, and to the United States
14 Pretrial Services Officer.

15 DATED this 16th day of June, 2005.

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17 _____
18 Mary Alice Theiler
United States Magistrate Judge